



Staff Report

HEARING DATE: Wednesday, May 30, 2012

TO: Planning Commission

FROM: Jana Fox, Associate Planner

PROPOSAL: **Lowami Hart Woods Nature Park
CU2012-0001, DR2012-0004, TP2012-0001**

LOCATION: Map & Tax Lots 1S120DB00100, 1S120DA09200

SUMMARY: The applicant, THPRD, requests approval of a Conditional Use permit for a new park in the R7 zone, together with Design Review Three approval for the proposed park improvements which include construction of three paved trails at six feet in width, one soft surface trail, a parking area, picnic and restroom facilities, and other associated improvements. Also, the applicant requests approval of a Tree Plan Two application for the removal of trees within Significant Natural Resource Areas 47 and 48 and Significant Grove G49.

APPLICANT/
PROPERTY OWNER: Project Planner: Matt Kilmartin
Tualatin Hills Park and Recreation District (THPRD)
6220 SW 112th Ave
Beaverton, OR 97008

APPLICANT
CONSULTANT: Vigil Agrimis
819 SE Morrison St
Portland, OR 97214

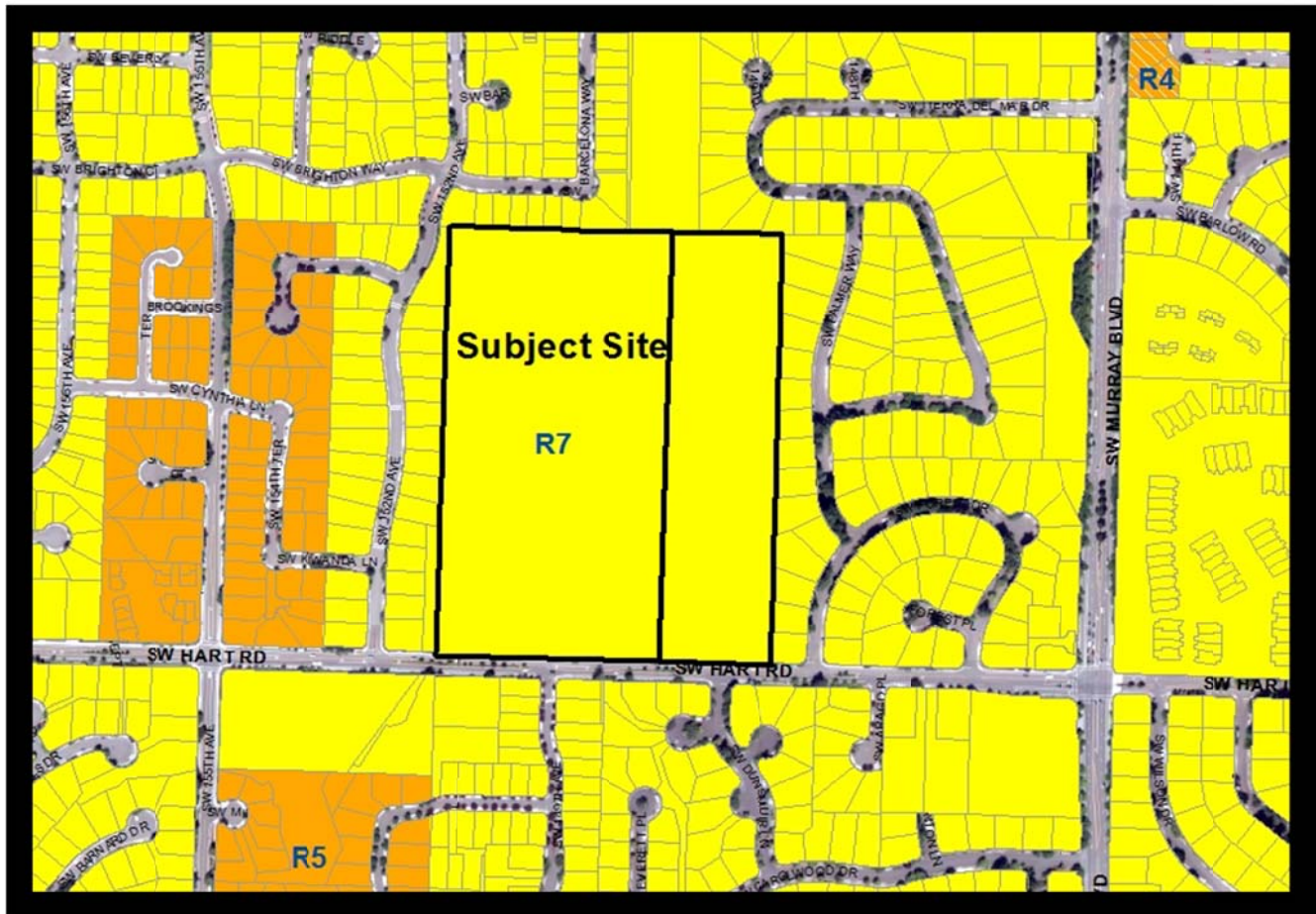
RECOMMENDATIONS: **APPROVAL of DR2012-0004 (Lowami Hart Woods Nature Park)** subject to conditions identified at the end of this report.

APPROVAL of CU2012-0001 (Lowami Hart Woods Nature Park), subject to conditions identified at the end of this report.

APPROVAL of TP2012-0001 (Lowami Hart Woods Nature Park) subject to conditions identified at the end of this report.

Exhibit 1.1

Vicinity Map



**Lowami Hart Woods Nature Park
CU2012-0001, DR2012-0004, TP2012-0001**

BACKGROUND FACTS

Key Application Dates

<u>Application</u>	<u>Submittal Date</u>	<u>Deemed Complete</u>	<u>Final Written Decision Date</u>	<u>240-Day*</u>
CU2012-0001	December 29, 2011	April 2, 2012	July 31, 2012	November 30, 2012
DR2012-0004	December 29, 2011	April 2, 2012	July 31, 2012	November 30, 2012
TP2012-0001	December 29, 2011	April 2, 2012	July 31, 2012	November 30, 2012

* Pursuant to Section 50.25.9 of the Development Code this is the latest date, with a continuance, by which a final written decision on the proposal can be made.

Existing Conditions Table

Zoning	R7 Residential Urban Standard Density	
Current Development	The property is currently an undeveloped natural area which was previously used as a Camp Fire Girls camp. The site has not been granted past land use approval for a park.	
Site Size & Location	The subject site is located in the general vicinity of SW Hart Road and SW 152 nd Avenue. The total site area occupies approximately 27.75 acres.	
NAC	West Beaverton	
Surrounding Uses	<u>Zoning:</u> North: <i>R7 Urban Standard Density</i>	<u>Uses:</u> North: Single-family Dwellings
	South: <i>R7 Urban Standard Density</i>	South: Single-family Dwellings
	East: <i>R7 Urban Standard Density</i>	East: Single-family Dwellings
	West: <i>R7 Urban Standard Density</i>	West: Single-family Dwellings

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Attachment A: Facilities Review Committee Technical Review and Recommendation Report	FR1 – 11
Attachment B: CU2012-0001 <i>New Conditional Use (Type 3)</i> reviews a new park, which is a conditional use under the R-7 zoning district.	CU1-CU8
Attachment C: DR2012-0004 <i>Design Review 3 (Type 3)</i> reviews proposed site improvements, including construction of three paved trails six feet in width, one soft surface trail, a parking area, picnic and restroom facilities, and other associated improvements.	DR1-DR16
Attachment D: TP2012-0001 <i>Tree Plan (Type 2)</i> will review a request for the removal of trees within Significant Natural Resource Areas 47 and 48 and Significant Grove G49. The applicant surveyed the trees within the general area of proposed impact. Of the 1,307 trees that were surveyed, 502 have the potential to be impacted by trail construction and site improvements. The applicant proposes to remove 80 trees and will attempt to retain the remaining 422 trees which have been identified as potentially impacted by construction.	TP1-TP9
Attachment E: Conditions of Approval	COA1–6

Exhibits

Exhibit 1. Materials submitted by Staff

Exhibit 1.1 Detail Map (page SR-3 of this report)

Exhibit 1.2 Aerial Map (page SR-4 of this report)

Exhibit 2. Materials submitted by the Applicant

Exhibit 2.1 Submittal Package including plans dated April 2, 2012

Exhibit 2.2 Response Letter from THPRD, dated May 21, 2012

Exhibit 2.3 Tree Removal Comparison Memo, dated May 21, 2012

Exhibit 2.4 Floodplain Design Considerations Memo, dated May 18, 2012

Exhibit 3. Public Comment

Exhibit 3.1 Letter from Kathy Schwartz, dated May 1, 2012

TECHNICAL REVIEW AND RECOMMENDATIONS LOWAMI HART WOODS NATURE PARK (CU2012-0001, DR2012-0004, TP2012-0001)

Section 40.03 Facilities Review Committee:

The Facilities Review Committee has conducted a technical review of the application, in accordance with the criteria contained in Section 40.03 of the Development Code. The Committee's findings and recommended conditions of approval are provided to the decision-making authority. ***As they will appear in the Director's Decision, the Facilities Review Conditions may be re-numbered and placed in different order.***

The decision-making authority will determine whether the application as presented meets the Facilities Review approval criteria for the subject application and may choose to adopt, not adopt, or modify the Committee's findings, below.

The Facilities Review Committee Criteria for Approval will be reviewed for all criteria that are applicable to the two (2) applications as identified below:

- **All twelve (12) criteria are applicable to the submitted Conditional Use application, CU2012-0001 and the Design Review application, DR2012-0004**

A. All critical facilities and services related to the proposed development have, or can be improved to have, adequate capacity to serve the proposed development at the time of its completion.

Chapter 90 of the Development Code defines "critical facilities" to be services that include public water, public sanitary sewer, storm water drainage and retention, transportation, and fire protection.

Water, stormwater and sanitary sewer services are provided by the City of Beaverton. The applicant states no water or sewer is proposed for the site and stormwater facilities will be sized by an engineer to provide treatment for runoff from hard surfaces. Staff concur that adequate water, sanitary and storm services are available to the project site. The applicant has submitted a Service Provider Letter from Clean Water Services showing compliance with CWS standards.

Fire protection will be provided to the site by Tualatin Valley Fire and Rescue Department (TVF&R). Tualatin Valley Fire & Rescue has received a copy of the submittal has stated that they endorse the proposal subject to conditions of approval which are enumerated at the end of this report.

A traffic analysis was not required of this development. The Development Code Section 60.55.20 requires a traffic impact analysis for projects that will generate more than 200 new weekday vehicle trips in a 24 hour period. Charbonneau Engineering prepared a traffic analysis report, dated September 2012 and subsequently submitted

a memorandum, dated March 6, 2012 which estimates five entering and five exiting vehicles during peak hours with a parking duration of less than an hour. The proposed parking lot with nine spaces is sufficient to provide adequate parking capacity during peak hours of activity.

Additionally the City Transportation Engineer has reviewed the proposal to determine that the surrounding street system will adequately accommodate the minor increase in traffic expected from this development.

Therefore, staff finds the proposal meets the criterion for approval.

B. Essential facilities and services are available or can be made available, with adequate capacity to serve the development prior to its occupancy. In lieu of providing essential facilities and services, a specific plan may be approved if it adequately demonstrates that essential facilities, services, or both will be provided to serve the proposed development within five (5) years of occupancy.

Chapter 90 of the Development Code defines “essential facilities” to be services that include schools, transit improvements, police protection, and pedestrian and bicycle facilities in the public right-of-way. The applicant’s plans and materials were forwarded to the City Transportation staff, City Police Department, and Tualatin Valley Fire and Rescue.

The City of Beaverton Police will serve the development site. The Police Department has received a copy of the submittal but had no comments or recommendations to the Facilities Review Committee. THPRD Park Patrol will also serve the development site during park operating and non-operating hours.

The Beaverton School District did not receive notice of the proposed development as it does not involve residential uses that would impact the School District.

Therefore, staff finds the proposal meets the criterion for approval.

C. The proposal is consistent with all applicable provisions of Chapter 20 (Land Uses) unless the applicable provisions are modified by means of one or more applications which shall be already approved or which shall be considered concurrently with the subject application; provided, however, if the approval of the proposed development is contingent upon one or more additional applications, and the same is not approved, then the proposed development must comply with all applicable provisions of Chapter 20 (Land Uses).

The Committee cites the Code Conformance Analysis chart at the end of this report, which evaluates the proposal as it relates the applicable Code requirements of Chapter 20, as applicable to the above mentioned criteria.

The property is zoned Urban Standards Density (R7). Public parks are allowed as conditional uses in this zone. The site exceeds the minimum land area and minimum

lot dimension standards. No structures are proposed which are subject to setback requirements.

Therefore, staff finds the proposal meets the criterion for approval.

D. The proposed development is consistent with all applicable provisions of Chapter 60 (Special Regulations) and all improvements, dedications, or both, as required by the applicable provisions of Chapter 60 (Special Regulations), are provided or can be provided in rough proportion to the identified impact(s) of the proposed development.

The Committee cites the Code Conformance Analysis chart at the end of this report, which evaluates the proposal as it relates the applicable Code requirements of Chapter 60, as applicable to the above mentioned criteria. Staff will provide findings for the applicable Design Review Standards, Code Section 60.05 within the Design Review Section of the staff report.

To meet the requirements of Section 60.65, staff recommends a standard condition of approval requiring that any impacted utility lines are placed underground.

Staff will provide findings for the Design Review Principles, Standards, and Guidelines, Code Section 60.05 within the Design Review staff report.

Therefore, staff find by satisfying the conditions of approval, the proposal will meet the criterion for approval.

E. Adequate means are provided or can be provided to ensure continued periodic maintenance and necessary normal replacement of the following private common facilities and areas: drainage ditches, roads and other improved rights-of-way, structures, recreation facilities, landscaping, fill and excavation areas, screening and fencing, ground cover, garbage and recycling storage areas and other facilities, not subject to periodic maintenance by the City or other public agency;

There are no private common facilities on the site. The applicant will have responsibility for the maintenance of the park and its features.

Therefore, staff finds the proposal meets the criterion for approval.

6. There are safe and efficient vehicular and pedestrian circulation patterns within the boundaries of the development.

The applicant states that the proposal contains a direct pedestrian walkway from the existing sidewalk along SW Hard Road to the parking area entry plaza, which is ADA

compliant. The access walkway is scored light colored concrete to differentiate it from the driving surface.

The development contains a system of paved and soft surface trails for walking and enjoyment of the natural area inside the park. Due to the steep nature and narrow width of the trails signs will be posted requiring cyclists to walk their bikes. The Fir Loop Trail is completely ADA accessible. Other trails are either paved or soft surface and are designed to minimally impact the natural area while providing recreational opportunities to patrons.

The site will have safe and efficient internal circulation patterns, in conformance with Development Code Sec 60.55.25. Standard conditions apply.

Therefore, staff finds the proposal meets the criterion for approval.

G. The development's on-site vehicular and pedestrian circulation systems connect to the surrounding circulation systems in a safe, efficient, and direct manner.

Pedestrian and vehicle access are proposed from SW Hart Road. Pedestrian access is proposed in two locations along SW Hart Road, one on the western half of the site at the entrance to the Wahoo Trail and access through the parking area along the eastern side of the park. Pedestrian connections will connect to the existing sidewalk system along SW Hart Road. Additionally the north end of the Wahoo Trail connects to the Brookhaven Woods Trail which provides a pedestrian connection to Barcelona Way.

Vehicular access is provided along the southwestern portion of the park from SW Hart Road via two access drives. The eastern vehicular access aligns with SW Dunsmuir Lane which intersects SW Hart Road from the south, and provides a right in, right out and left out only due to the existing median and turn lanes in SW Hart Road. The western vehicular access is right out only due to the existing median in SW Hart Road.

The site's pedestrian circulation system will connect to the surrounding circulation system in a safe, efficient, and direct manner, and will be in conformance with Development Code Sec 60.55.25.

Therefore, staff finds the proposal meets the criterion for approval.

H. Structures and public facilities and services serving the development are designed in accordance with adopted City codes and standards and provide adequate fire protection, including, but not limited to, fire flow.

Fire protection will be provided to the site by Tualatin Valley Fire and Rescue Department (TVF&R). The proposal will need to show compliance with the City's

Building Code Standards prior to issuance of site development and building permits, which includes compliance with TVF&R standards.

Therefore, staff find by satisfying the conditions of approval, the proposal will meet the criterion for approval.

- I. Structures and public facilities serving the development site are designed in accordance with adopted City codes and standards and provide adequate protection from crime and accident, as well as protection from hazardous conditions due to inadequate, substandard or ill-designed development.***

The Committee finds that review of the construction documents at the building and site development permit stages will ensure protection from hazardous conditions due to inadequate, substandard or ill-designed development.

Therefore, staff finds the proposal meets the criterion for approval.

- J. Grading and contouring of the development site is designed to accommodate the proposed use and to mitigate adverse effect(s) on neighboring properties, public right-of-way, surface drainage, water storage facilities, and the public storm drainage system.***

The applicant states that the largest amounts of runoff on the site will be generated by the vehicular access and parking area. The parking area has been graded to retain all runoff on site by directing it to infiltration areas. Asphalt-surfaced trails will be cross-sloped to direct stormwater runoff onto the trail shoulders for infiltration. Additionally the applicant states that limited grading will occur close to neighboring properties along the northern end of the Wahoo Trail and the area will be graded to minimize any surface drainage leaving the project site. Finally, the submittal contains documentation that the proposed storm water improvements can feasibly meet requirements of the City's Engineering Design Manual and Clean Water Services Construction Standards and will therefore mitigate any adverse effects on the receiving public storm sewer system.

The Committee proposes standard conditions of approval for the final design, construction, operation, and maintenance of these systems.

Therefore, staff find by satisfying the conditions of approval, the proposal will meet the criterion for approval.

- K. Access and facilities for physically handicapped people are incorporated into the development site and building design, with particular attention to providing continuous, uninterrupted access routes.***

The applicant states that considerable effort was made to design trail alignments to provide universal access for all users. A continuous, ADA-accessible route from the existing sidewalk along SW Hart Road into the site has been provided. Additionally all users can access the parking area, entry plaza, and the entirety of the Fir Loop Trail. The other paved trails are not completely accessible due to steep slopes which vary between 2% and 9%. According to the applicant the Fir Loop Trail will provide a 'like experience' to users with limited mobility.

The applicant states that there was a tradeoff between providing 100 percent accessibility on all trails or severely impacting the existing natural area with many switchbacks, additional paving, and additional tree removal in order to accommodate fully ADA accessible trails.

The site layout appears to provide access for physically handicapped people where possible. Through the Site Development and Building permitting reviews, accessibility is further evaluated to specific accessibility standards.

Therefore, staff finds the proposal meets the criterion for approval.

L. The proposal contains all required submittal materials as specified in Section 50.25.1 of the Development Code.

The applicant submitted the application on December 29, 2011 and was deemed complete on April 2, 2012. In the review of the materials during the application review, the Committee finds that all applicable application submittal requirements, identified in Section 50.25.1 are contained within this proposal.

Therefore, staff finds the proposal meets the criterion for approval.

Code Conformance Analysis **Chapter 20 Use and Site Development Requirements** **Urban Standard Density (R7) Zoning District**

CODE STANDARD	CODE REQUIREMENT	PROJECT PROPOSAL	MEETS CODE?
Development Code Section 20.05.20 (R7)			
Use- Conditional	Public Parks, Parkways, Playgrounds, and Related Facilities	New Public Nature Park	Yes
Development Code Section 20.05.15 (R7)			
Minimum Parcel Area	7,000 sq. ft.	n/a	Yes
Minimum Lot Dimensions			
Width	65	n/a	Yes
Depth	90	n/a	
Minimum Yard Setbacks			
Front	17	n/a	Yes
Side	5	n/a	
Rear	25	n/a	
Maximum Building Height	35'	n/a	Yes

Chapter 60 Special Requirements

CODE STANDARD	CODE REQUIREMENT	PROJECT PROPOSAL	MEETS CODE?
Development Code Section 60.05			
Design Review Principles, Standards, and Guidelines	Requirements for new development and redevelopment.	New pedestrian and bicycle trail.	Refer to DR finding
Development Code Section 60.10			
Floodplain Regulations	60.10.10 Floodplain Designation	The proposed trail involves work within the FEMA designation Floodplain and is subject to the requirements thereof.	YES
	60.10.15 Development in Floodway	Trails, bike paths, bridges, culverts, and associated grading are allowed in the floodway.	YES
	60.10.20 Commercial and Industrial Uses in the Floodway Fringe	No new commercial or industrial uses are proposed.	N/A
	60.10.25 Residential Uses in the Floodway Fringe	No new residential uses are proposed.	N/A
Development Code Section 60.12			
Habitat Friendly and Low Impact Development Practices	Optional program offering various credits available for use of specific Habitat Friendly or Low Impact Development techniques.	No Habitat Friendly or Low Impact Development credits are requested.	N/A
Development Code Section 60.33			
Park and Recreation Facilities and Services Provision	THPRD is the parks and recreation provider for the City of Beaverton. All properties must be annexed to THPRD	The applicant for the proposed development is THPRD.	YES
Development Code Section 60.55			
	60.55.15 Traffic Management Plan	The proposed park development does not	N/A

		require a traffic management plan.	
	60.55.20 Traffic Impact Analysis	The proposed park development does not meet the threshold for a TIA.	N/A
	60.55.25.1 Safe and efficient circulation and connections to streets	The proposed trail connects to the sidewalk along SW Hart Road as well as to the parking area.	YES
	60.55.25.2 Comprehensive Plan compliance with Figures 6.1-6.23 and Tables 6.1-6.6 (as applicable).	The proposed trail is identified in its proposed location in figures 6.1 and 6.2. The proposed path alignment complies with the Bicycle and Pedestrian Master Plans.	YES
	60.55.25.3 Connections not identified in the Comprehensive Plan	The proposed trail is identified in Figures 6.1 and 6.2 of the Comprehensive Plan.	N/A
	60.55.25.4 Connections to existing and proposed streets and developments.	The proposed trail connects with the existing sidewalk system along SW Hart Road. Future trail connection north of the site is possible.	YES
	60.55.25.5 Additional right-of-way.	No additional right-of-way is required for the proposed park development.	N/A
	60.55.25.6 Connections with streets and traffic-controlled intersections.	The proposed trail connects with SW Hart Road. No street crossings are proposed.	YES
	60.55.25.7 Connections to existing and proposed streets.	The proposed trail connects with SW Hart Road.	YES
	60.55.25.8 Special setbacks	There are no special setbacks in the vicinity of the proposed nature park.	N/A
	60.55.25.9	The proposed	N/A

	Accessways	development is a nature park with an interior trail system.	
	60.55.25.10 Pedestrian Circulation	The proposed development is a nature park with an interior trail system which connects to SW Hart Road.	YES
	60.55.25.11 Pedestrian connections at major transit stops.	The proposed trails connects to the existing sidewalk system along SW Hart Road which contains transit stops adjacent to the park.	YES
	60.55.25.12 Mitigation & Best Management Practices for bike/ped connections through natural features.	The applicant has submitted a Service Provider Letter from Clean Water Services which evaluates the impact of development on natural features. The applicant is subject to the conditions of approval in the SPL.	YES w/ COA
	60.55.25.13 Bike/ped connections along rear property lines are discouraged unless no comparable alignment is possible to connect common trip origins and destinations or existing segment links.	The proposed trails do not abut rear property lines.	YES
	60.55.25.14 Street and Bicycle and Pedestrian Hindrances.	The proposed trail provides adequate connections while minimizing impacts to natural areas.	YES
	60.55.30 Minimum Street Widths	No streets are proposed or required.	N/A
	60.55.35 Access Standards	No streets are proposed or required. Connections to existing streets shall be done in a safe and efficient manner.	YES
	60.55.40	No transit facilities are	N/A

	Transit Facilities	proposed or required.	
Development Code Section 60.60			
Trees & Vegetation	Regulations pertaining to the removal and preservation of trees.	Proposed removal of 22% of the total DBH of surveyed non-exempt trees within SNRA #47 and #48.	Refer to TP finding
Development Code Section 60.65			
Utility Undergrounding	All existing overhead utilities and any new utility service lines within the project and along any existing frontage, except high voltage lines (>57kV) must be placed underground.	All utilities are required to be placed underground in accordance with this provision.	YES-with COA
Development Code Section 60.67			
Significant Natural Resources	Regulations pertaining to the Local Wetland Inventory and Significant Riparian Corridors.	The COB has provided notice to DSL of the proposed application. The applicant will be required to show proof that the required permits have been obtained prior to site development permit issuance. THPRD has also received a Service Provider Letter from CWS for the proposed work.	YES-with COA

RECOMMENDATION

The Facilities Review Committee finds that the proposal complies with all the technical criteria. The Committee recommends that the decision-making authority **APPROVE** the **Lowami Hart Woods Nature Park (CU2012-0001, DR2012-0004, TP2012-0001)**, and adopt the conditions of approval identified in Attachment E.

CU2012-0001
ANALYSIS AND FINDINGS FOR
CONDITIONAL USE APPROVAL

Section 40.15.05 Conditional Use Applications: Purpose

The purpose of a Conditional Use application is to review uses that may be compatible in the underlying zoning district, but, because of their size, operation, or other characteristics, require review on a case-by-case basis. These uses are subject to the regulations in the Section because they may, but do not necessarily, result in significant adverse effects upon the environment, overburden public services, alter the character of the surrounding area or create nuisances. Conditional uses may be approved, approved with site-specific conditions designed to minimize or mitigate identified adverse impacts, or denied. ... This Section is carried out by the approval criteria listed herein.

Section 40.15.15.3.C New Conditional Use Approval Criteria:

In order to approve a New Conditional Use application, the decision making authority shall make findings of fact based on evidence provided by the applicant demonstrating that all the following criteria are satisfied:

- 1. The proposal satisfies the threshold requirements for a Conditional Use application.***

The applicant proposes designation and development of a new nature park, Lowami Hart Woods Natural Area. Therefore the proposal is reviewed as a new park in a residential zoning district, which is a Conditional Use.

Therefore, staff find the proposal meets the criterion for approval.

- 2. All City application fees related to the application under consideration by the decision making authority have been submitted.***

The applicant paid the required fee associated with a New Conditional Use application.

Therefore, staff find the proposal meets the criterion for approval.

- 3. The proposal will comply with the applicable policies of the Comprehensive Plan.***

The following policies of the Beaverton Comprehensive Plan have been identified as being applicable to this Conditional Use request.

Chapter 5: Public Facilities and Services Element

- 5.8.1.b The City shall encourage THPRD to provide parks and recreation facilities throughout the City in locations that are easily accessible to those they are intended to serve.***

The applicant states that the Lowami site lies along SW Hart Road near SW Murray Boulevard, both of which are arterial streets and function as major links to commercial, residential, industrial and employment areas. Additionally the applicant states that the site's location, adjacent to residential will provide direct pedestrian and vehicular connections from SW Hart Road. There is also a public transit stop directly in front of the site. The main trail (Wahoo) connects directly to the sidewalk along SW Hart Road and connects to an existing dirt trail in Brookhaven Park to the north of the site boundaries. Staff concurs with the applicant that the site provides access for users of the park which are reasonable and easily accessible via foot, bike, car, or public transit.

- 5.8.1.g** *The planning, acquisition and development of multi-use paths should be consistent with this Plan's Transportation Element and THPRD's Trail Master Plan.*

The Wahoo Trail within Lowami Hart Woods is identified in THPRD's 2006 Trails Plan as a community trail, which links important land uses and areas of interest within the Park District and is a shared-use path. The site is also identified as a park that is part of the planned trail system in Figure 6.1 of the City's Comprehensive Plan, Transportation Element.

Chapter 6: Transportation Element

- 6.2.1.c** *Protect residential neighborhoods from pollutants associated with nearby transportation facilities, industrial uses, and rail activities.*

The applicant states that the proposed design preserves the existing mature forest canopy and riparian areas associate with South Johnson Creek by locating development out of the riparian areas and minimizing removal of trees. These natural systems filter pollutants from the adjoining roads, protecting the surrounding residential neighborhoods.

- 6.2.2.b** *Provide a seamless and coordinated transportation system that is barrier-free, provides affordable and equitable access to travel choices, and serves the needs of people and businesses.*

The applicant states that the proposed main Wahoo Trail will help to complete the planned trail network provided by THPRD's South Johnson Creek Community Trail which links south Beaverton neighborhoods and schools. The South Johnson Creek Community Trail provides connections to on-street trails that connect to other THPRD trails. Additionally the applicant states that by providing a multi-modal trail that can be used by pedestrians and bicyclists (pending future community trail connectivity to the north and/or south), the trail provides an affordable and equitable transportation option for those not traveling by automobiles.

- 6.2.2.c** *Develop and provide a safe, complete, attractive, efficient, and accessible system of pedestrian ways and bicycle ways, including bike lanes, cycletracks, bike*

boulevards, shared roadways, multi-use paths, and sidewalks according to the pedestrian and bicycle system maps, and the Development Code and Engineering Design Manual requirements.

As previously stated, the main Wahoo Trail will help to complete the planned South Johnson Creek Community Creek Trail network. The trail is easily accessed from SW Hart Road and in close proximity to SW Murray Boulevard. The applicant notes that THPRD's 2006 Trails Plan dictates a minimum standard of eight-feet wide community trails, however after extensive public input and a desire to minimize impacts to sensitive natural areas, the proposed trail is six-feet in width, for which an Engineering Design Modification will be requested, though a separate process. In order to further address safety, signage will be installed to require cyclists to walk their bikes through the site, due to the reduced trail width and steep topography which could encourage unsafe bike speeds.

- 6.2.3.e** *Construct multi-use paths only where they can be developed with satisfactory design components that address safety, security, maintainability, and acceptable uses. Multi-use paths should converge at traffic-controlled intersections to provide for safe crossing, although they should be separate and distant from major streets for most of their length.*

The applicant states that there has been significant public involvement for the proposal and that the trails have been planned and designed to balance public safety with preservation of natural resources, as discussed previously. The Wahoo Trail is separated from any major streets and connects with the sidewalk system at SW Hart Road.

Chapter 7: Natural, Cultural, Historic, Scenic, Energy and Groundwater Resources Element

- 7.3.1.a** *Inventoried natural resources shall be conserved, protected, enhanced or restored: to retain the visual and scenic diversity of our community; for their educational and recreational values; and to provide habitats for fish and wildlife in our urban area.*

The subject site, Lowami Hart Woods Natural Area, contains Significant Natural Resource Areas 47 and 48 as well as Significant Grove G49 as identified on the City's Natural Resource Inventory. The applicant states that the preservation of this natural area in the heart of the South Beaverton neighborhood maintains an important visual and recreational resource for the surrounding residents, and helps retain the visual and scenic diversity of Beaverton. Additionally the applicant states that the park has been designed to be used by THPRD for small environmental education programs and that the proposed design has minimal hard surfaces and carefully utilizes trail alignment to preserve as many trees as possible.

- 7.3.1.f** *Specific uses of or development activities in Significant Natural Resources areas shall be evaluated carefully and those uses or activities that are complementary and compatible with resource protection shall be permitted. This is not intended*

to prohibit a land use permitted by the underlying zoning district but only to regulate the design of development such as building or parking location or type of landscaping.

The applicant states that, as noted previously, the park has been designed carefully to provide minimal impacts to the natural resources of the site while still providing educational and recreational uses. In conformance with the district's 2006 Comprehensive Plan, Lowami Hart Woods is classified as a natural area. A designated natural area, as defined by THPRD, is intended to provide opportunities for passive recreation, constituting a low level of development to accommodate activities such as walking, hiking, wildlife watching or paved-trail biking. The Lowami Hart Woods proposal includes a two-year pilot program for environmental education.

7.3.1.h *Roads and utilities, which must be located within, or traversed through, a Significant Natural Resource Area, shall be carefully planned and aligned so as to minimize loss and disruption. A rehabilitation or restoration plan shall be a necessary component.*

The applicant states that the only roads planned for the subject site are the two drives leading to the parking area. The parking area is located in close proximity to SW Hart Road in order to minimize the impacts to the site. The proposed location of the parking area also preserves a large Oregon White Oak tree that was in the area previously identified for parking. Additionally two street lights will need to be relocated along SW Hart Road. As a condition of approval, the new location of the relocated street lights must be shown on the Site Development plans.

No buildings or permanent restrooms are planned, and restrooms will be provided by screened temporary toilet facilities in the entry plaza area. The applicant states that stormwater facilities have been included for the parking lot and that they will be integrated with the site. Any landscaping that is disturbed as part of construction will be revegetated with native plants. Impacts to the vegetated corridor will be mitigated per Clean Water Services standards.

7.3.2.a *Significant Riparian Corridors shall be protected for their fish and wildlife habitat values, and other values associated with the natural resources area. Development plans for these areas shall treat these components as assets and encroachment into the riparian corridor shall require enhancement, mitigation, or restoration.*

Lowami Hart Woods contains Significant Natural Resource Areas 47 and 48. The applicant states that the plan minimizes encroachment into the riparian corridor. The applicant also describes revised trail alignments and bridge replacement after consultation with Clean Water Services. The project will be required to perform enhancement and mitigation in conformance with the Service Provider Letter (SPL) issued by Clean Water Services. Staff is recommending a condition of approval requiring compliance with the SPL conditions of approval.

- 7.3.2.b** *Stream, creeks, and other watercourses, including a number of small drainages not identified on the Significant Natural Resources inventory map, can be significant amenities. The City should protect the natural resource values of these areas from damage or degradation caused intentionally or by neglect. The City should cooperate with and assist property owners in maintaining and upgrading these areas for their potential aesthetic, wildlife, or recreational value.*

Lowami Hart Woods contains two water courses, South Johnson Creek and an unnamed tributary. The applicant states that the project meets this policy as THPRD is charged with managing and maintaining this natural area, which is ensuring the protection and maintenance of the watercourses. THPRD is the parks and recreation provider for the City of Beaverton.

- 7.3.3.a** *Significant Wetlands in the Local Wetland Inventory shall be protected for their filtration, flood control, wildlife habitat, natural vegetation and other water resource values.*

The Lowami Hart Woods site contains identified wetlands. The applicant states that a 16-foot stretch of an existing dirt trail crosses the northern tip of the wetland in the southwest corner of the site. Although the soft surface 'Madrone Trail' follows the existing dirt trail for most of its length, in this area the proposed trail has been relocated to move it out of the wetland area. There will be no development in the wetlands as part of this project and the existing trail section that crosses the wetlands will be decommissioned.

- 7.3.3.b** *Development within the buffer area adjacent to a significant wetland shall be subject to restrictions on building, grading, excavation, placement of fill, and native vegetation removal.*

The applicant states that the project was initially reviewed by Clean Water Services (CWS) in 2010 and changes based on CWS review were made to further avoid impacts to the significant wetlands and buffer areas. A Service Provider Letter (SPL) has been issued for the proposed project and staff recommends as a condition of approval that the applicant comply with the provisions of the SPL. The applicant states that per CWS standards, pedestrian and bike crossings are permitted within the vegetated corridor so long as the impacts are minimized and replacement mitigation is provided. By complying with the conditions of the SPL approval the applicant will comply with the policy.

- 7.3.3.c** *Where development is constrained due to wetland protection regulations, a hardship variance may be granted if approval criteria are met.*

The applicant states that this policy is not applicable as development is limited to the trail and no hardship variance is needed.

- 7.3.4.a** *Limit impacts from development or human intrusion on sites likely to contain wildlife habitat through use of regulations adopted for protection of other natural resources, or by adopting new regulations if necessary.*

The applicant states that by meeting the CWS standards for protection of riparian areas wildlife habitat will also be protected. The applicant must also comply with the Development Code provisions pertaining to natural areas. By complying with the CWS standards and Development Code standards the applicant complies with this policy.

Chapter 8: Environmental Quality and Safety Element

- 8.7.1.a** *Utilize uniform or complementary interjurisdictional floodplain development and management programs to reduce flood hazards, protect natural resources, and permit reasonable development.*

The applicant states that the proposed development within the floodplain is limited and a cut and fill balance is provided. The proposed plan utilizes the existing bridge crossing of South Johnson Creek which has a previous No-Rise Certificate issued by FEMA.

In summary, staff concurs with the applicants responses to the policies identifies above and concludes that after reviewing all of the above policies, staff finds the proposal either already complies with the above Comprehensive Plan policies or will comply if the conditions of approval are met.

Therefore, staff find by meeting the Conditions of Approval, the proposal meets the criterion for approval.

- 4.** *The size, dimensions, configuration, and topography of the site and natural and man-made features on the site can reasonably accommodate the proposal.*

The applicant states that the proposed developments will utilize 0.66 acres of the 28.7 acre site. The site can reasonably accommodate the proposed natural area as it consists of a diverse group of habitats: mature forest canopy, streams, riparian areas and varying topography. Staff concurs that the site can reasonably accommodate the proposed development of a system of trails and associated facilities.

Therefore, staff find the proposal meets the criterion for approval.

- 5.** *The location, size, and functional characteristics of the proposal are such that it can be made reasonably compatible with and have minimal impact*

on livability and appropriate use and development of properties in the surrounding area of the subject site.

The applicant states that the project will preserve an existing natural area of high importance to the neighborhood, the project will be adequately buffered from the surrounding properties and the project will provide alternative means of transportation while not significantly increasing vehicular traffic in the area.

Specifically, the applicant states that the development will utilize a small portion of the property (0.66 of 28.7 acres), while the remaining 28 acres will remain as a natural area which increases the visual diversity, environmental health, and recreational opportunities available to the community residents. The amount of attendance at public meetings and public input shows the value of this natural area to those who live around it and already use it as a natural area for passive recreation. Staff concurs that the proposal for limited development of the site, including the parking area, provides access to the natural area for more users, while balancing the need to protect important natural resources on the site.

The development within the park will be screened by a minimum of 65 feet of highly vegetated forest from the nearest residential properties. Most of the activity on the site will take place near the parking area and entry plaza as well as the site center which are located away from the adjacent residential properties. The applicant states that since the entry plaza and parking area are located along SW Hart Road, which is classified as an arterial street, the addition of these features will have minimum impact on the livability of surrounding residential properties. The applicant is proposing to add additional understory vegetation in areas where neighbors have raised concerns as to the adequacy of existing vegetation for visual buffering purposes.

The applicant states that the proposed nature park is not projected to increase vehicular traffic in the neighborhood by more than ten additional peak hour trips per day. The project is a shared-use path which is identified as a community trail in THPRD's 1998 and 2006 Trails Master Plan. The trail is part of the planned South Johnson Creek Community Trail, which connects to on street trails that link to other THPRD trails such as the Westside Regional Trail and the Fanno Creek Trail.

Staff finds that the proposed nature park can be made reasonably compatible with the surrounding neighborhood.

Therefore, staff find the proposal meets the criterion for approval.

6. Applications and documents related to the request, which will require further City approval, shall be submitted to the City in the proper sequence.

The applicant has submitted this Conditional Use application with associated Design Review 3 and Tree Plan 2 applications for this project. Concurrent review of the applications satisfies this criterion. No other applications are required of the applicant at this stage of City review. Because the applications are being reviewed concurrently, the

Commission will review all the applications at one public hearing. Staff recommends a condition of approval requiring the associated applications to be approved before a site development permit is issued.

Therefore, staff find the proposal meets the criterion for approval.

SUMMARY OF FINDINGS: For the reasons identified above, staff find that the Conditional Use approval is supported within the approval criteria findings noted above, for Chapter 40, Section 40.15.15.3.C of the Development Code.

The Facilities Review Committee identified conditions necessary to meet the technical requirements identified in Section 40.03 of the Development Code. Based on the facts and findings presented and based on meeting the conditions of approval, the proposal CU2012-0001 (Lowami Hart Woods Nature Park) meets the criteria.

Recommendation

Based on the facts and findings presented, staff recommend **APPROVAL** of **CU2012-0001 (Lowami Hart Woods Nature Park)** subject to the applicable conditions identified in Attachment E.

DR2012-0004
ANALYSIS AND FINDINGS FOR
DESIGN REVIEW THREE APPROVAL

Planning Commission Standards for Approval:

Section 40.20.15.3.C of the Development Code provides standards to govern the decisions of the Commission as they evaluate and render decisions on Design Review Applications. The Facilities Review Committee has reviewed the Facilities Review criteria of Section 40.03, and addressed the criteria applicable to this proposal. Conditions have been recommended by the Committee for adoption by the Planning Commission. The Commission will determine whether the application as presented, meets the Design Review Three approval criteria. The Commission may choose to adopt, not adopt or modify the Committee's findings. In this report, staff evaluates the application in accordance with the criteria for Type 3 Design Review.

Section 40.20.15.3.C Approval Criteria: In order to approve a Design Review Three application, the decision making authority shall make findings of fact based on evidence provided by the applicant demonstrating that all the following criteria are satisfied:

1. ***The proposal satisfies the threshold requirements for a Design Review Three application.***

The applicant proposes to construct a new park within a residential zoning district (R7). Therefore, the proposal meets Design Review Three Threshold #6:

6. *New parks in residential zoning districts.*

Therefore, staff finds that the criterion is met and a Design Review Three application is the correct application for the proposal.

2. ***All City application fees related to the application under consideration by the decision making authority have been submitted.***

The applicant paid the required fees for a Design Review Three application.

Therefore, staff finds that the criterion is met.

3. ***For proposals meeting Design Review Three application thresholds numbers 1 through 6, the proposal is consistent with all applicable provisions of Sections 60.05.35 through 60.05.50 (Design Guidelines).***

Staff cites the Design Guidelines Analysis at the end of this Design Review Attachment, which evaluates the project as it relates the applicable Design Review Guidelines found in Section 60.05 of the Development Code. Staff reviews each Guideline with respect to the applicability of the Guideline to the project, the applicant's response and illustrative

representation of the proposal. Staff provides an evaluation of the proposal in relation to the Guideline and a statement as to whether the Guideline is met.

Therefore, staff finds the proposal will meet the criterion for approval by meeting the conditions of approval.

- 4. *For additions to or modifications of existing development, the proposal is consistent with all applicable provisions of Sections 60.05.35 through 60.05.50 (Design Guidelines) or can demonstrate that the additions or modifications are moving towards compliance of specific Design Guidelines if any of the following conditions exist:***
- a. A physical obstacle such as topography or natural feature exists and prevents the full implementation of the applicable guideline; or***
 - b. The location of existing structural improvements prevent the full implementation of the applicable guideline; or***
 - c. The location of the existing structure to be modified is more than 300 feet from a public street.***

The project proposal is a new park and does not include buildings on the subject site. Therefore this criterion which pertains to additions or modification of existing development does not apply.

Therefore, staff finds the criterion is not applicable.

- 5. *For DRBCP proposals which involve the phasing of required floor area, the proposed project shall demonstrate how future development of the site, to the minimum development standards established in this Code or greater, can be realistically achieved at ultimate build out of the DRBCP.***

This is not a DRBCP proposal.

Therefore, staff finds the criterion is not applicable.

- 6. *For proposals meeting Design Review Three application Threshold numbers 7 or 8, where the applicant has decided to address a combination of standards and guidelines, the proposal is consistent with all applicable provisions of Sections 60.05.15 through 60.05.30 (Design Standards) except for the Design Standard(s) where the proposal is instead subject to the applicable corresponding Design Guideline(s). [ORD 4531; March 2010]***

The project proposal meets application Threshold #6 and, accordingly, is not subject to Design Standards.

Therefore, staff finds the criterion is not applicable.

- 7. *For proposals meeting Design Review Three application Threshold numbers 7 or 8, the proposal is consistent with all applicable provisions of Sections 60.05.15 through 60.05.30 (Design Standards) except for the Design Standard(s) where the proposal is applying to instead meet the applicable Design Guideline(s).***

The project proposal meets application Threshold #6 and, accordingly, is not subject to Design Standards.

Therefore, staff finds the criterion is not applicable.

- 8. *Applications and documents related to the request, which will require further City approval, shall be submitted to the City in the proper sequence.***

The applicant has submitted this Design Review application with associated New Conditional Use and Tree Plan 2 application for this project. Concurrent review of the applications satisfies this criterion. No other applications are required of the applicant at this stage of City review. Because the applications are being reviewed concurrently, the Commission will review all the applications at one public hearing. Staff recommends a condition of approval requiring the associated applications to be valid before a site development permit is issued.

Therefore, staff finds the proposal will meet the criterion for approval by meeting the conditions of approval.

DESIGN REVIEW GUIDELINES ANALYSIS

60.05.35 *Building Design and Orientation Guidelines.* *Unless otherwise noted, all guidelines apply in all zoning districts.*

1. *Building Elevation Design Through Articulation and Variety*

- A. *Residential buildings should be of a limited length in order to avoid undifferentiated building elevations, reduce the mass of individual buildings, and create a scale of development that is pedestrian friendly and allow circulation between buildings by pedestrians. (Standard 60.05.15.1.A.)*
- B. *Building elevations should be varied and articulated to provide visual interest to pedestrians. Within larger projects, variations in architectural elements such as: building elevations, roof levels, architectural features, and exterior finishes should be provided. (Standard 60.05.15.1.A and B)*
- C. *To balance horizontal features on longer building elevations, vertical building elements, such as building entries, should be emphasized. (Standard 60.05.15.1.B)*
- D. *Buildings should promote and enhance a comfortable pedestrian scale and orientation. This guideline does not apply to buildings in industrial districts where the principal use of the building is manufacturing, assembly, fabricating, processing, packing, storage, wholesale or distribution activities. (Standard 60.05.15.1.B) [ORD 4531; March 2010]*
- E. *Building elevations visible from and within 200 feet of an adjacent street or major parking area should be articulated with architectural features such as windows, dormers, off-setting walls, alcoves, balconies or bays, or by other design features that reflect the building's structural system. Undifferentiated blank walls facing a street, common green, shared court, or major parking area should be avoided. (Standards 60.05.15.1.B, C, and D) [ORD 4542; May 2010]*
- F. *Building elevations visible from and within 100 feet of an adjacent street where the principle use of the building is manufacturing, assembly, fabricating, processing, packing, storage and wholesale and distribution activities in an industrial zoning district, should be articulated with architectural features such as windows, dormers, off-setting walls, alcoves, balconies or bays, or by other design features that reflect the building's structural system. Undifferentiated blank walls facing a street should be avoided. (Standards 60.05.15.1.B and C)*

The development does not include structures related to these Guidelines.

Therefore, staff finds the Guideline is **not applicable**.

2. *Roof Forms as Unifying Elements*

- A. *Roof forms should be distinctive and include variety and detail when viewed from the street. Sloped roofs should have a significant pitch and building focal points should be highlighted.* (Standards 60.05.15.2.A and B)

The development does not include structures related to these Guidelines.

Therefore, staff finds the Guideline is **not applicable**.

- B. *Flat roofs should include distinctive cornice treatments.* (Standard 60.05.15.2.C)
- C. *Additions to existing structures which involve the addition of new roof area should respect the roof form and material of the existing structure.* (Standard 60.05.15.2.D)

The development does not include structures related to these Guidelines.

Therefore, staff finds the Guidelines **not applicable**.

3. *Primary building entrances*

- A. *Excluding manufacturing, assembly, fabricating, processing, packing, storage and wholesale and distribution activities which are the principle use of a building in industrial districts, the design of buildings should incorporate features such as arcades, roofs, porches, alcoves, porticoes, awnings, and canopies to protect pedestrians from the rain and sun.* (Standard 60.05.15.3.A)
- B. *Special attention should be given to designing a primary building entrance that is both attractive and functional. Primary entrances should incorporate changes in mass, surface, or finish to emphasize the entrance.* (Standard 60.05.15.3.B)

The development does not include structures related to these Guidelines.

Therefore, staff finds the Guidelines **not applicable**.

4. *Exterior Building Materials*

- A. *Exterior building materials and finishes should convey an impression of permanence and durability. Materials such as masonry, stone, wood, terra cotta, and tile are encouraged. Windows are also encouraged, where they allow views to interior activity areas or displays.* (Standard 60.05.15.4.A)
- B. *Excluding development in Industrial zones, where masonry is used for exterior finish, decorative patterns (other than running bond pattern) should be*

considered, especially at entrances, building corners and at the pedestrian level. These decorative patterns may include multi-colored masonry units, such as brick, tile, stone, or cast stone, in a layered or geometric pattern, or multi-colored ceramic tile bands used in conjunction with materials such as concrete. (Standards 60.05.15.4.B and C)

The development does not include structures related to these Guidelines.

Therefore, staff finds the Guidelines **not applicable**.

5. Screening of Equipment. *All roof, surface, and wall-mounted mechanical, electrical, communications, and service equipment should be screened from view from adjacent public streets by the use of parapets, walls, fences, enclosures, dense evergreen foliage, or by other suitable means.* (Standards 60.05.15.5.A through C)

The applicant states the project does not include any roof mounted or ground mechanical equipment.

Therefore staff finds the Guideline is **not applicable**.

6. Building Location and Orientation in Multiple Use and Commercial districts.

- A. *Buildings should be oriented and located within close proximity to public streets and public street intersections. The overall impression, particularly on Class 1 Major Pedestrian Routes, should be that architecture is the predominant design element over parking areas and landscaping.* (Standard 60.05.15.6.A and B)
- B. *The design of buildings located at the intersection of two streets should consider the use of a corner entrance to the building.* (Standard 60.05.15.6.B).
- C. *On Class 1 Major Pedestrian Routes, building entrances should be oriented to streets, or have reasonably direct pedestrian connections to streets and pedestrian and transit facilities.* (Standard 60.05.15.6.C and D)

The project is not located on a Class 1 Major Pedestrian Route and does not include structures related to these Guidelines.

Therefore, staff finds the Guidelines **not applicable**.

7. Building Scale along Major Pedestrian Routes.

- A. *Architecture helps define the character and quality of a street. Along Major Pedestrian Routes, low height, single story buildings located at the right-of-way*

edge are discouraged. (Standard 60.05.15.7.A)

- B. Building heights at the right-of-way edge should help form a sense of street enclosure, but should not create a sheer wall out of scale with pedestrians. Building heights at the street edge should be no higher than sixty (60) feet without the upper portions of the building being set back from the vertical building line of the lower building stories. (Standard 60.05.15.7)*

The site is not located on a Major Pedestrian Route.

Therefore, staff finds the Guidelines **not applicable**.

8. *Ground Floor Elevations on Commercial and Multiple Use Buildings.*

- A. Excluding residential only development, ground floor building elevations should be pedestrian oriented and provide views into retail, office or lobby space, pedestrian entrances or retail display windows. (Standard 60.05.15.8.A)*
- B. Except those used exclusively for residential use, ground floor elevations that are located on a Major Pedestrian Route, sidewalk, or other space where pedestrians are allowed to walk should provide weather protection for pedestrians on building elevations. (Standard 60.05.15.8.B)*

The site is not located on a Major Pedestrian Route and does not include structures related to these Guidelines.

Therefore, staff finds the Guidelines **not applicable**.

9. *Design of Residential Uses Fronting Shared Courts and Common Greens.*

- A. Building elevations facing shared courts and common greens should include pedestrian oriented design elements and other design features that provide articulation, variety, interest and quality. (Standards 60.05.15.9.A, B, C, F, and G)*
- B. Garage openings should not be a dominant feature within shared courts. (Standards 60.05.15.9.D and E)*

The development does not include structures related to these Guidelines.

Therefore, staff finds the Guidelines **not applicable**.

60.05.40. *Circulation and Parking Design Guidelines. Unless otherwise noted, all guidelines apply in all zoning districts.*

- 1. *Connections to public street system.*** *The on-site circulation system and the abutting street system should provide for efficient access and circulation, and should*

connect the project to abutting streets. (Standard 60.05.40.1)

The proposed on-site circulation system contains the driveway entrances and parking areas from SW Hart Road as well as the pedestrian connections. The vehicular access to the site connects to SW Hart Road. The Wahoo trail connects to the sidewalk along SW Hart Road as does the pedestrian access to the parking area and entry plaza.

Therefore, staff finds the Guideline **is met.**

2. *Loading area, solid waste facilities, and similar improvements.*

- A. *On-site service, storage and similar activities should be designed and located so that these facilities are screened from an abutting public street. (Standard 60.05.20.2)*
- B. *Except in industrial districts, loading areas should be designed and located so that these facilities are screened from an abutting public street, or are shown to be compatible with local business operations. (Standard 60.05.20.2.)*

The proposal includes decorative trash can enclosures which provide adequate screening. In addition, the site has no loading areas, thus the criterion does not apply. Staff includes a condition of approval ensuring decorative trash enclosures are placed as shown on the plans.

Therefore, staff finds the Guideline **is met.**

3. *Pedestrian circulation.*

- A. *Pedestrian connections should be made between on-site buildings, parking areas, and open spaces. (Standard 60.05.20.3.A)*
- B. *Pedestrian connections should connect on-site facilities to abutting pedestrian facilities and streets unless separated by barriers such as natural features, topographical conditions, or structures. (Standard 60.05.20.3.A)*
- C. *Pedestrian connections should link building entrances to nearby streets and other pedestrian destinations. (Standard 60.05.20.3.B)*
- D. *Pedestrian connections to streets through parking areas should be evenly spaced and separated from vehicles (Standard 60.05.20.3.C through E)*
- E. *Excluding manufacturing, assembly, fabricating, processing, packing, storage and wholesale and distribution activities which are the principle use of a building in industrial districts, pedestrian connections designed for high levels of pedestrian activity should be provided along all streets. (Standard 60.05.20.3.A through H)*
- F. *Pedestrian connections should be designed for safe pedestrian movement and constructed of hard durable surfaces. (Standards 60.05.20.3.F through G)*

The proposal includes connections between SW Hart Road, parking area, entry plaza, site center, as well as the natural features on the site. The pedestrian connection through the parking lot is six-feet wide and made of scored concrete to differentiate it from the asphalt parking lot. The pedestrian paths through the site were designed to accommodate a diversity of users while preserving the natural resources on site.

Therefore, staff finds the Guideline **is met**.

4. ***Street frontages and parking areas.*** *Landscape or other screening should be provided when surface parking areas are located along public streets.* (Standard 60.05.20.4)

The applicant states that the surface parking area is located 18 feet back from the property line along SW Hart Road. Parking area screening will be provided consisting of native evergreen shrubs to be maintained at a maximum height of 36 inches.

Therefore, staff finds the Guideline **is met**.

5. ***Parking area landscaping.*** *Landscape islands and a tree canopy should be provided to minimize the visual impact of large parking areas.* (Standard 60.05.20.5.A through D)

The propose parking area does not contain landscape islands, however this is a small parking area consisting of 9 parking spaces within a natural area which includes a mature forest.

Therefore, staff finds the Guideline **is met**.

6. ***Street frontages in Multiple Use districts.***

- A. *Surface parking should occur to the side or rear of buildings and should not occur at the corner of two Major Pedestrian Routes.* (Standard 60.05.20.6)
- B. *Surface parking areas should not be the predominant design element along Major Pedestrian Routes and should be located on the site to safely and conveniently serve the intended users of the development, without precluding future site intensification.* (Standard 60.05.20.6)

The site is not located in a Multiple Use district and does not include on-site parking facilities.

Therefore, staff finds the Guidelines **not applicable**.

7. Sidewalks along streets and primary building elevations in Multiple Use and Commercial districts.

- A. *Pedestrian connections designed for high levels of pedestrian activity should be provided along all streets. (Standard 60.05.20.7.A)*
- B. *Pedestrian connections should be provided along primary building elevations having building and tenant entrances. (Standard 60.05.20.7.B.)*

The site is not located in Multiple Use or Commercial districts.

Therefore, staff finds the Guidelines **not applicable**.

8. Connect on-site buildings, parking, and other improvements with identifiable streets and drive aisles in Residential, Multiple Use, and Commercial districts.

- A. *On-site circulation should be easily recognized and identified, and include a higher level of improvements such as curbs, sidewalks, and landscaping compared to parking lot aisles. (Standard 60.05.20.8)*
- B. *Long, continuous parking aisles should be avoided if possible, and landscaped as necessary to minimize the visual impact. (Standard 60.05.20.8)*

On-site vehicular circulation consists of two access drives from SW Hart Road to the parking lot area. The eastern drive lines up with SW Dunsmuir lane to the south across SW Hart Road. A sidewalk is provided from the existing sidewalk along SW Hart Road into the site.

Therefore, staff finds the Guideline **is met**.

9. Parking Structures in Multiple-Use Districts. *Active ground floor uses should be incorporated in parking structures, particularly on elevations facing Major Pedestrian Routes. (Standard 60.05.20.9)*

Parking structures are not proposed.

Therefore, staff finds the Guideline is **not applicable**.

60.05.45. Landscape, Open Space and Natural Areas Design Guidelines. *Unless otherwise noted, all guidelines apply in all zoning districts.*

1. Common Open Space for Residential Uses in Residential Districts

- A. *Common open spaces should be provided that are sized and designed for anticipated users, and are located within walking distance for residents and visitors, and should be integrated into the overall landscape plan. (Standard*

60.05.25.1)

- B. *Common open spaces should be available for both passive and active use by people of all ages, and should be designed and located in order to maximize security, safety, and convenience. (Standard 60.05.25.1)*
- C. *Common open spaces should be free from all structural encroachments unless a structure is incorporated into the design of the common open space such as a play structure. (Standard 60.05.25.1)*
- D. *Common open space should be located so that windows from living areas, excluding bedrooms and bathrooms, of a minimum of four (4) residences face on to the common open space. (Standard 60.05.25.1)*

The project is not part of a Residential Development.

Therefore, staff finds the Guidelines **not applicable**.

2. *Minimum landscaping in Residential districts.*

- A. *Landscape treatments utilizing plants, hard-surface materials, or both should be provided in the setback between a street and a building. The treatment should enhance architectural elements of the building and contribute to a safe, interesting streetscape. (Standard 60.05.25.2.A through C)*
- B. *Landscaping should soften the edges of buildings and parking areas, add aesthetic interest, and generally increase the attractiveness of a development and its surroundings. (Standard 60.05.25.2.A through C)*

The proposal is for a nature park, no landscaped areas are proposed or required.

Therefore, staff finds the Guidelines **not applicable**.

3. *Minimum landscaping for conditional uses in Residential districts and for developments in Multiple Use, Commercial, and Industrial Districts.*

- A. *Landscaping should soften the edges of buildings and parking areas, add aesthetic interest and generally increase the attractiveness of a development and its surroundings. (Standard 60.05.25.3.A, B, and D)*

The proposal is for a nature park, no landscaped areas are proposed or required.

Therefore, staff finds the Guideline is **not applicable**.

- B. *Plazas and common areas designed for pedestrian traffic should be surfaced with a combination of landscape and decorative pavers or decorative concrete. (Standard 60.05.25.3.C)*

The proposed entry plaza is scored concrete to add visual interest. The area is a nature park and non-native vegetation or landscaping is not proposed.

Therefore, staff finds the Guideline **is met.**

- C. *Use of native vegetation should be emphasized for compatibility with local and regional climatic conditions. (Standard 60.05.25.3.A and B)*

The applicant states the in keeping with the project's goal of an accessible natural area, a diverse palette of native plants will be used exclusively.

Therefore, staff finds the Guideline **is met.**

- D. *Existing mature trees and vegetation should be retained and incorporated, when possible, into the site design of a development. (Standard 60.05.25.3.A and B)*

The applicant has applied for a Tree Plan 2 to remove 80 trees with the possibility of impacting an additional 422 trees for the purpose of constructing and installing the improvements proposed. The applicant states that the only existing mature trees and vegetation that will be removed will be those that are minimally necessary in order to construct the trails, plaza, and parking lot areas. Mature trees that may be impacted by site grading or other construction activities will be retained and monitored, and only removed in the future if they present a hazard. The majority of the existing mature trees and vegetation will be retained on site.

Therefore, staff finds the Guideline **is met.**

- E. *A diversity of tree and shrub species should be provided in required landscaped areas. (Standard 60.05.25.3)*

The applicant states the in keeping with the project's goal of an accessible natural area, a diverse palette of native plants will be used for revegetation.

Therefore, staff finds the Guideline **is met.**

4. Design of Common Greens in Multiple Use Districts.

- A. *Common greens should be designed to provide access for only pedestrians and bicycles to abutting properties. Common greens should also serve as a common open space amenity for residents. (Standard 60.05.25.6)*
- B. *The size of the common green right-of-way should be sufficient to accommodate expected users and uses. The size must take into consideration the characteristics of the site and vicinity, such as the pedestrian system, structures, natural features, and the community activities that may occur within the common green. (Standard 60.05.25.6.A.1)*
- C. *When a public pedestrian connection is desired, it should be designed as a distinct feature to distinguish it from an adjacent common green. . (Standards 60.05.25.6.A.2 and 3) Common greens should not provide access to parking. (Standard 60.05.25.6.A.4)[ORD 4542; May 2010]*

The project is not located in a Multiple Use District.

Therefore staff finds the Guidelines **not applicable**.

5. Design of Shared Courts in Multiple Use Districts.

- A. *Shared courts should safely accommodate pedestrians and vehicles within the same circulation area and provide safe access to abutting properties. Special paving and other street elements should be designed to encourage slow vehicle speeds and to signify the shared court's intended use by pedestrians as well as vehicles. (Standards 60.06.25.7, 60.06.25.7.B.1, 2 and 3)*
- B. *The size and length of a shared court should be sufficient to accommodate expected users and uses. The size and length should take into consideration the characteristics of the site and vicinity, such as the pedestrian system, structures, traffic safety, natural features, and the community activities that may occur within the shared court. (Standards 60.06.25.7.A.1, 2, 3 and 4)*

The project is not located in a Multiple Use District.

Therefore, staff finds the Guideline is **not applicable**.

- 6. Retaining Walls.** *Retaining walls over six (6) feet in height or greater than fifty (50) feet in length should be architecturally treated, incorporated into the overall landscape plan, or screened by landscape material. (Standard 60.05.25.5)*

The applicant states that no retaining walls over six feet in height of greater than fifty feet in length are proposed. Small rock walls may be used to preserve trees and hold back soil where necessary.

Therefore, staff finds the Guideline is **not applicable**.

7. Fences and Walls

- A. *Fences and walls should be constructed of attractive, durable materials. (Standard 60.05.25.6)*

The applicant proposes a split rail fence along the drive isle perimeter in order to prevent drivers from leaving the asphalt area. The split rail fence will be constructed from lumber felled on the site which helps to maintain the natural area aesthetic.

Therefore, staff finds the Guideline **is met**.

- B. *Fences and walls constructed in front yards adjacent to public streets should*

provide the opportunity to view into the setback from the street unless high traffic volumes or other conflicts warrant greater security and protection. (Standard 60.05.25.6)

The proposal includes the construction of a split-rail fence which will not block views into or out of the site.

Therefore, staff finds the Guideline **is met**.

- 8. *Changes to existing on-site surface contours at residential property lines.***
The perimeters of properties should be graded in a manner to avoid conflicts with abutting residential properties such as drainage impacts, damage to tree root zones, and blocking sunlight. (Standard 60.05.25.7)

The applicant states that no grading will be occurring at the perimeters abutting residential property lines with the exception of the north end of the Wahoo Trail where it ends at the property line and connects to the existing Brookhaven trail in close proximity to residential. Grading of the connection has been designed to allow the trail to meet grade shortly before the property line. The applicant states that drainage from the connection will be retained on site and the root zones of the trees on the abutting property will not be impacted.

Therefore, staff finds the Guideline **is met**.

- 9. *Integrate water quality, quantity, or both facilities.*** *Above-ground stormwater detention and treatment facilities should be integrated into the design of a development site and, if visible from a public street, should appear as a component of the landscape design. (Standard 60.05.25.8)*

Stormwater basins and vegetated filter strips will treat the parking lot runoff and blend into the surrounding landscape of natural vegetation. Additional trail runoff will be handled by providing cross-slope on the hard-surface trails to sheet flow into the surrounding vegetated areas. Standard Site Development conditions are included.

Therefore, staff finds the Guideline **is met by implementing the conditions of approval**.

10. *Landscape Buffering and Screening*

- A.** *A landscape buffer should provide landscape screening, and horizontal separation between different zoning districts and between non-residential land uses and residential land uses. The buffer standards shall not be applicable along property lines where existing natural features such as flood plains, wetlands, riparian zones and identified significant groves already provide a high*

degree of visual screening. (Standard 60.05.25.10)

- B. When potential conflicts exist between adjacent zoning districts, such as industrial uses adjacent to residential uses, landscape screening should be dense, and the buffer width maximized. When potential conflicts are not as great, such as a commercial zoning district abutting an industrial zoning district, less dense landscape screening and narrower buffer width is appropriate. (Standard 60.05.25.9)*
- C. Landscape buffering should consist of a variety of trees, shrubs and ground covers designed to screen potential conflict areas and complement the overall visual character of the development and adjacent neighborhood. (Standard 60.05.25.9)*

The intent of these Guidelines is to provide a high degree of visual screening and separation between residential and non-residential uses. The site is part of SNRA 47 and 48 as well as Significant Grove G49 which are identified as significant natural features. The existing property is heavily vegetated with trees and shrubs that provide a high degree of visual screening. The applicant is proposing to add additional understory vegetation in areas where neighbors have raised concerns as to the adequacy of existing vegetation for visual buffering purposes. Staff find the proposed landscape buffers provide trees, shrubs, and groundcover that are compatible with the surrounding neighborhood.

Therefore staff finds the Guideline **is met.**

- 11. *Natural Areas:*** *Natural features that are indigenous to a development site, such as streams, wetlands, rock outcroppings, and mature trees should be preserved, enhanced and integrated when reasonably possible into the development plan. (No companion standard)*

The site includes two Significant Natural Resource Areas, SNRA 47 and SNRA 48, as well as Significant Grove G49. The site contains wetlands associated with South Johnson Creek and its tributary. The site design moves the trail outside of the wetland and the design of the park is intended to minimize impacts to the natural areas. Proposed trail width has been minimized from THPRD's community trail standards in order to minimize tree removal through the site. Standard Site Development conditions apply.

Therefore staff finds the Guideline **is met by implementing the conditions of approval.**

60.05.50. Lighting Design Guidelines. *Unless otherwise noted, all guidelines apply in all zoning districts. (Standard 60.05.30.1 and 2)*

- 1. Lighting should be utilized to maximize safety within a development through strategic placement of pole-mounted, non-pole mounted and bollard luminaries.*
- 2. Pedestrian scale lighting should be an integral part of the design concept except for*

industrial projects. Poles and fixtures for pole-mounted lighting should be of a consistent type throughout the project. The design of wall-mounted lighting should be appropriate to the architectural design features of the building.

- 3. Lighting should minimize direct and indirect glare impacts to abutting and adjacent properties and streets by incorporating lens-shields, shades or other measures to screen the view of light sources from residences and streets.*
- 1. On-site lighting should comply with the City's Technical Lighting Standards.*

The applicant states that Lowami Hart Woods is a natural area intended to provide opportunities for passive recreation, involving a low level of development in order to preserve natural features and function. As such the applicant does not propose lighting as it may disturb wildlife within the natural area. Lowami Hart Woods will have operating hours of dawn to dusk.

Staff concurs with the applicant that illuminating Lowami Hart Woods could potentially disturb wildlife habitat on the site. As the park is only open during daylight hours the site will be safely illuminated by natural light during the hours of operation. The Lighting Design Guidelines are intended primarily to apply to commercial, residential, and industrial developments and not natural areas.

Therefore, staff finds the Guideline **is met.**

Recommendation

Based on the facts and findings presented, staff recommends **APPROVAL** of **DR2012-0004 (Lowami Hart Woods Nature Park)** subject to the applicable conditions identified in Attachment E.

**TP2012-0001
TREE PLAN TWO**

Section 40.90.05 Tree Plan Applications; Purpose

Healthy trees and urban forest provide a variety of natural resource and community benefits for the City of Beaverton. Primary among those benefits is the aesthetic contribution to the increasingly urban landscape. Tree resource protection focuses on the aesthetic benefits of the resource. The purpose of a Tree Plan application is to provide a mechanism to regulate pruning, removal, replacement, and mitigation for removal of Protected Trees (Significant Individual Trees, Historic Trees, trees within Significant Groves and Significant Natural Resource Areas (SNRAs)), and Community Trees, thus helping to preserve and enhance the sustainability of the City's urban forest.

Section 40.90.15.2.C Approval Criteria

In order to approve a Tree Plan Two application, the decision making authority shall make findings of fact based on evidence provided by the applicant demonstrating that all the following criteria are satisfied:

1. The proposal satisfies the threshold requirements for a Tree Plan Two application.

The site contains Significant Grove number 49 and Significant Natural Resource Areas 47 and 48. The applicant has surveyed approximately 48% of the subject site and found 1,307 trees (22,289 inches of DBH) within the surveyed area. The applicant proposes to remove 80 trees with a total of 1,312 inches of DBH. The applicant has indicated alternative protection measures will be used, unlike the required standards of the Code; therefore, the trees within the limit of work line (as shown on sheets L2.1-L2.5, dated March 21, 2012) must be counted as trees with the potential to be removed. The applicant proposes to use two levels of tree protection fencing, the 'hard line' (or tree protection measures required by the Development Code) which corresponds to the limits of work line, as well as 'soft line' fencing (additional tree protection fencing within the area of impact which may be moved at the discretion of the project arborist as necessary to construct the proposed improvements).

The applicant has indicated that there are a total of 502 trees that have the potential to be impacted by site development, including the 80 trees identified for removal. As such, the intended-to-be-saved trees cannot be counted as retained trees; however, the applicant proposes to try to retain 422 of the surveyed trees that may be potentially impacted. The 502 total trees identified which may be potentially impacted from development constitute approximately 45.7% of the DBH of the surveyed trees on the subject site.

This project meets Threshold 3 for the Tree Plan Two application:

- Threshold 3 includes the removal of up to and including 75% of the non-exempt surveyed trees found on the project site. If more trees than that are proposed for removal, a Tree Plan Three approval is required.

Therefore, staff finds the proposal meets the criterion for approval.

- 2. *All City application fees related to the application under consideration by the decision making authority have been submitted.***

The applicant has paid the required application fee for a Tree Plan Two application.

Therefore, staff finds the proposal meets the criterion for approval.

- 3. *If applicable, removal of any tree is necessary to observe good forestry practices according to recognized American National Standards Institute (ANSI) A300-1995 standards and International Society of Arborists (ISA) standards on the subject.***

The applicant states that no trees are being removed in order to observe good forestry practices. The only trees proposed to be removed are hazardous or to accommodate physical development. The applicant also states that tree protection, pruning, and removal will be done in accordance with ISA/ANSI standards and under the supervision of an ISA-licensed arborist.

Therefore, staff finds the proposal is not applicable

- 4. *If applicable, removal of any tree is necessary to accommodate physical development where no reasonable alternative exists.***

The majority of the trees proposed to be removed are in order to accommodate development of the trail system, parking area, and entry plaza. The applicant states that 75 of the 80 trees proposed to be removed are to accommodate physical development. The applicant also states that the proposed trail alignment has been revised multiples times with the assistance of a certified arborist in order to minimize tree removal. However, the site is heavily forested. Accordingly, some trees will need to be removed because they are within proposed hardscape areas or are located close enough to trail construction areas.

In addition to the 80 trees proposed to be removed, the applicant has identified an additional 422 trees that have drip lines that extend into the construction area making these trees potentially vulnerable to damage during construction. The applicant has indicated that additional measures, such as a second level of tree protection fencing, will be used to protect the trees during construction. As a condition of approval, staff recommends the applicant track those trees that are indicated to be retained but are within the construction area and provide a report prior to final inspections stating which trees were retained, damaged, or removed during construction.

Therefore, staff find by satisfying the conditions of approval, the proposal will meet the criterion for approval.

5. ***If applicable, removal of any tree is necessary because it has become a nuisance by virtue of damage to property or improvements, either public or private, on the subject site or adjacent sites.***

Property damage or other nuisances are not the reason the trees are being removed.

Therefore, staff find the criterion for approval does not apply.

6. ***If applicable, removal is necessary to accomplish public purposes, such as installation of public utilities, street widening, and similar needs, where no reasonable alternative exists without significantly increasing public costs or reducing safety.***

The applicant proposes removal of 80 trees in order to accommodate development of a nature park. The trails running throughout the park provide public access to natural areas while minimally impacting those areas. The trails are proposed to be six feet in width and have been designed to meet turning radii and slope requirements with minimal tree removal.

The applicant is requesting a separate Engineering Design Modification application from the Public Works Director to allow gravel shoulder and split rail fencing along the drive isles in order to retain two 24" DBH Douglas Fir Trees and one 20" DBH Douglas Fir Tree.

Therefore, staff finds the proposal meets the criterion for approval.

7. ***If applicable, removal of any tree is necessary to enhance the health of the tree, grove, SNRA, or adjacent trees, [or] to eliminate conflicts with structures or vehicles.***

The applicant states that no trees are proposed to be removed at this time to enhance the health of the significant grove or in order to eliminate conflicts with existing structures or vehicles.

Therefore, staff finds the criterion for approval does not apply.

8. ***If applicable, removal of a tree(s) within a SNRA or Significant Grove will not result in a reversal of the original determination that the SNRA or Significant Grove is significant based on criteria used in making the original significance determination.***

The applicant proposes the removal of 80 trees from Significant Grove 49, with the potential for impact to another 422 trees during construction. The applicant estimates the 80 trees to be removed to comprise approximately 2.8% of the total DBH on the site based

on tree surveys of approximately half of the site. The 502 trees with the potential to be impacted by development comprise approximately 22% of the total DBH of trees on the subject site. The proposed tree removal will not result in a reversal of the original determination.

Therefore, staff finds the proposal meets the criterion for approval.

- 9. *If applicable, removal of a tree(s) within a SNRA or Significant Grove will not result in the remaining trees posing a safety hazard due to the effects of windthrow.***

The applicant states that the trees to be removed are not in one location, but are scattered along the trail corridor and parking area. The possibility of windthrow of the remaining trees is not likely to be increased by this selective removal of individual trees.

Therefore, staff finds the proposal meets the criterion for approval.

- 10. *The proposal is consistent with all applicable provisions of Section 60.60 Trees and Vegetation and Section 60.67 Significant Natural Resources.***

Staff cites the Code Conformance Analysis chart at the end of the Tree Plan Staff Report, which evaluates the project as it relates to applicable code requirements of Sections 60.60 and 60.67, as applicable to the aforementioned criterion. As demonstrated on the chart, the proposal complies with all applicable provisions of Sections 60.60 and 60.67.

Therefore, staff find by satisfying the conditions of approval, the proposal will meet the criterion for approval.

- 11. *Grading and contouring of the site is designed to accommodate the proposed use and to mitigate adverse effect(s) on neighboring properties, public right-of-way, surface drainage, water storage facilities, and the public storm drainage system.***

The applicant states that proposed grading and contouring of the site has been designed to accommodate the proposed trails, entry plaza and parking area while minimizing impacts to the site. All runoff generated by planned hard surfaces will be retained on site, producing no adverse effects on neighboring properties or the public storm drainage system. Staff concurs that the proposed grading of the subject site will adequately protect neighboring properties and the public storm drainage system.

Therefore, staff finds the proposal meets the criterion for approval.

- 12. *The proposal contains all applicable application submittal requirements***

as specified in Section 50.25.1 of the Development Code.

The submitted tree plan proposal contained all applicable submittal requirements necessary to be deemed complete.

Therefore, staff finds the proposal meets the criterion for approval.

13. *Applications and documents related to the request, which will require further City approval, shall be submitted to the City in the proper sequence.*

The applicant has submitted this Tree Plan Two application with associated New Conditional Use and Design Review 3 application for this project. Concurrent review of the applications satisfies this criterion. No other applications are required of the applicant at this stage of City review. Because the applications are being reviewed concurrently, the Commission will review all the applications at one public hearing. Staff recommends a condition of approval requiring the associated applications to be valid before a site development permit is issued.

Therefore, staff finds the proposal will meet the criterion for approval by meeting the conditions of approval.

RECOMMENDATION

Based on the facts and findings presented, staff recommend **APPROVAL** of **TP2012-0001 (Lowami Hart Woods Nature Park)**, subject to the applicable conditions identified in Attachment E.

Code Conformance Analysis

Chapter 60.60 Trees and Vegetation & Chapter 60.67 Significant Natural Resources

CODE SECTION	CODE REQUIREMENT	PROJECT PROPOSAL	MEET STANDARD
60.60.15 Pruning, Removal, and Preservation Standards			
60.60.15.1A-B	Pruning Standards	No pruning is proposed	N/A
60.60.15.2.A	Removal of Protected Trees must be in accordance with this section.	The proposed tree removal complies with this section (see findings below).	YES
60.60.15.2.B	Mitigation is required as set forth in 60.60.25	See findings for 60.60.25	YES
60.60.15.2.C.1	25% DBH of SNRA & Significant Groves must be preserved.	The applicant proposes to preserve approximately 97% of the DBH of the trees on site. However due to the tree preservation standards of this code potentially up to 22% of the trees on the subject site could be impacted by the proposed development, still leaving a minimum of 78% of the trees on the site with no potential impacts.	YES
60.60.15.2.C.2	DBH shall be retained in cohesive Preservation Areas.	Preservation areas are not proposed as the nature of the proposed tree removal will leave the SNRA and Significant Groves intact.	N/A
60.60.15.2.C.3	Native understory vegetation and trees shall be preserved in Preservation Areas.	Preservation areas are not proposed as the nature of the proposed tree removal will leave the SNRA and Significant Groves intact.	N/A
60.60.15.2.C.4	Preservation Areas shall be clustered and connect with adjoining portions of the SNRA or	Preservation areas are not proposed as the nature of the proposed tree removal will leave	N/A

	Significant Grove.	the SNRA and Significant Groves intact.	
60.60.15.2.C.5	Preservation Areas shall be set aside in conservation easements.	Preservation areas are not proposed as the nature of the proposed tree removal will leave the SNRA and Significant Groves intact. Significant portions of the proposed trail project will be placed in preservation easements and maintained by THPRD.	N/A
60.60.15.2.C.6	Preservation Areas conditioned for protection through the Land Division process.	Preservation areas are not proposed as the nature of the proposed tree removal will leave the SNRA and Significant Groves intact. The proposed project does not involve a Land Division.	N/A
60.60.15.2.C.7	Native species shall be preferred for preservation over non-native species.	Trees are proposed to be removed for the trail development.	N/A
60.60.15.2.C.8	Hazardous and dead trees should be fallen only for safety and left at the resource site unless the tree has been diagnosed with a disease.	A few trees have been identified as having the potential to pose a hazard to the trail, once constructed, and will be removed accordingly.	YES
60.60.20 Tree Protection Standards During Development			
60.60.20.1	Trees shall be protected during construction by a 4' orange plastic fence and activity within the protected root zone shall be limited.	Protection measures are proposed in conformance with section 60.60.20, including construction fencing and efforts to ensure minimal impacts to existing vegetation that is to be retained.	YES
60.60.20.2	Other City approved protection measures offering greater or equal protection may be	The applicant proposes to use a combination of hard line tree protection fencing (complying with	YES

	permitted.	Section 60.60.20.1 of the Development Code) and softline fencing for trees proposed to be preserved but have root zones within the construction zone and therefore have the potential to be impacted by trail construction. Softline fencing will be placed prior to construction but may be temporarily moved to accommodate construction.	
60.60.25 Mitigation Requirements			
60.60.25	Mitigation Standards: (60.60.25.2.B) if less than 50% of the total DBH is proposed for removal no mitigation is required.	Approximately 22% of the surveyed non-exempt DBH is proposed for potential removal or impact, therefore no mitigation is required.	N/A
60.67 Significant Natural Resources			
60.67.05.1	Development activities in locations of possible significant natural resources and/or wetlands are subject to relevant procedures identified in Chapter 50.	The proposed trail development and associated tree removal is subject to the relevant procedures identified in Chapter 50 including types 2 and 3 land use applications.	YES
60.67.15.2	For sites identified in the Local Wetland Inventory notice of the proposed development shall be provided to DSL.	DSL has been notified of the proposed application.	YES
60.67.10	Development activities in locations of Significant Riparian Corridors are subject to relevant procedures identified in Chapter 50.	The proposed trail development and associated tree removal is subject to the relevant procedures identified in Chapter 50 including types 2 and 3 land use applications.	YES

CONDITIONS OF APPROVAL

Lowami Hart Woods Nature Park (DR2012-0004):

1. Approval of DR2012-0004 is subject to approval of CU2012-0001 and TP2012-0001. (Planning/JF)

A. Prior to any work starting on site and issuance of the site development permit, the applicant shall:

2. Submit the required plans, application form, fee, and other items needed for a complete site development permit application per the applicable review checklist. (Site Development/JJD)
3. Contract with a professional engineer to design and monitor the construction for any work governed by Beaverton Municipal Code 9.05.020, as set forth in Ordinance 4417 (City Engineering Design Manual and Standard Drawings), Beaverton Development Code (Ordinance 2050, 4010 +rev.), the Clean Water Services District Design and Construction Standards (June 2007, Resolution and Ordinance 2007-020), and the City Standard Agreement to Construct and Retain Design Professionals in Oregon. (Site Development/JJD)
4. Submit a completed and executed City Standard Agreement to Construct Improvements and Retain Design Professional(s) Registered in Oregon. After the site development permit is issued, the City Engineer and the Planning Director must approve all revisions as set out in Ordinances 2050, 4010+rev., and 4417; however, any required land use action shall be final prior to City staff approval of the engineering plan revision and work commencing as revised. (Site Development/JJD)
5. Have the ownership of the subject property guarantee all public improvements, grading, storm water management (quality) facilities, Clean Water Services required plantings, and work within the floodplain by submittal of a City-approved security. The security approval by the City consists of a review by the City Attorney for form and the City Engineer for amount, equivalent to 100 percent or more of estimated construction costs. (Site Development/JJD)
6. Submit any required easements, executed and ready for recording, to the City after approval by the City Engineer for legal description of the area encumbered and City Attorney as to form. (Site Development/JJD)
7. Have obtained the Tualatin Valley Fire and Rescue District Fire Marshal's approval of the site development plans as part of the City's plan review process. (Site Development/JJD)

8. Have obtained approvals needed from the Clean Water Services District for storm system connections as part of the City's plan review process. (Site Development/JJD)
9. Submit plans for erosion control per the requirements of Clean Water Services and the City. (Site Development Div./JJD)
10. Submit a copy of issued permits or other approvals needed from the State of Oregon Department of State Lands and the United States Army Corps of Engineers (for work within a jurisdictional wetland). (Site Development/JJD)
11. Provide a detailed drainage analysis of the subject project identifying all affected tributary areas and prepare a report prepared by a professional engineer meeting the standards set by the City Engineer. The analysis shall identify all contributing drainage areas and plumbing systems on and adjacent to the project with the site development permit application. The analysis shall also delineate all areas on the site that are inundated during a 100-year storm event in addition to any mapped FEMA flood plains and flood ways. (Site Development Div./JJD)
12. Provide a final engineering analysis of the grading and construction work proposed within the 100-year floodplain as necessary to allow for a public notice to be published in a local newspaper by the City Engineer for the proposed floodplain and floodway modifications. The applicant's engineer shall certify in writing that the project as designed will meet the requirements of City Code and Clean Water Services Resolution and Order 2007-020 as they refer to the 100 year floodplain, prior to this notice being sent, including a zero-rise (or no adverse impact) floodway modification certification. The public notice and a 10 day appeal period shall occur after final approval of the site development permit AND building permit plans by the City Engineer, City Building Official, and Planning Director. (Site Development Div./JJD)
13. Submit to the City a certified impervious surface determination of the proposed project by the applicant's engineer, architect, or surveyor. The certification shall include an analysis and calculations of all impervious surfaces as a total for the project. Specific types of impervious area totals, in square feet, shall be given for buildings, parking lots/driveways, sidewalk/pedestrian areas, storage areas, and any gravel surfaces on each affected parcel. Calculations shall also indicate the square footage of pre-existing impervious surface, the new impervious surface area created, the net new impervious surface, and total final impervious surface area for each affected parcel and as a total for the project. (Site Development Div./JJD)
14. Pay a storm water system development charge in-lieu of constructing an on-site storm water quantity (winter detention) and quality (summer treatment) facility for the net new impervious area proposed that is not treated or detained by Low Impact Development Approaches. Additionally, pay a storm water system

development charge (overall system conveyance) for any net new impervious area proposed. (Site Development Div./JJD)

15. Provide plans for the placement or relocation of underground utility lines along street frontages, within the site, and for any services to the proposed new development. If existing utility poles along existing street frontages must be moved to accommodate the proposed improvements, the affected lines must be either undergrounded or a fee in lieu of undergrounding paid per Section 60.65 of the Development Code. (Site Development Div./JJD)

B. Prior to building permit issuance for the bridge, or any other building permit such as private plumbing and any electrical service, the applicant shall:

16. Submit a complete site development permit application and obtain the issuance of site development permit from the Site Development Division. (Site Development/JJD)
17. Make provisions for installation of all mandated erosion control measures to achieve City inspector approval at least 24 hours prior to call for foundation footing form inspection from the Building Division. (Site Development/JJD)
18. Have a professional architect, engineer, or surveyor submit plans and specifications to the City Engineer and City Building Official verifying that all at-risk elements of the new construction (in particular the new bridge) are anchored for buoyancy AND are either elevated or floodproofed as appropriate per City Code, FEMA requirements, IBC Appendix G (Flood-resistant Construction), and ASCE/SEI 24-05, and as determined by the City Engineer and City Building Official to at least one foot above the base flood elevation. (Site Development Div./JJD)
19. Show street light relocation on building plans. (Operations/SB)

C. Prior to final inspection of any building permit, the applicant shall:

20. Install or replace, to City specifications, all sidewalks, curb ramps and driveway aprons which are missing, damaged, deteriorated, or removed by construction along the access frontage. (Site Development Div./JJD)
21. Have a professional architect, engineer, or surveyor submit certifications on Federal Emergency Management Agency (FEMA) standard forms, to the City Building Official and City Engineer, documenting that all at risk elements of construction have been constructed of Federal Emergency Management Agency (FEMA) defined flood-resistant materials to at least equal to one foot above the base flood elevation. (Site Development Div./JJD)

D. Prior to release of performance security, the applicant shall:

22. Have completed the site development improvements as determined by the City Engineer and met all outstanding conditions of approval as determined by the City Engineer and Planning Director. Additionally, the applicant and professional(s) of record shall have met all obligations under the City Standard Agreement to Construct Improvements and Retain Design Professional Registered in Oregon, as determined by the City Engineer. (Site Development/JJD)
23. Submit any required on-site easements, executed and ready for recording, to the City after approval by the City Engineer for area encumbered and City Attorney as to form. The applicant's engineer or surveyor shall verify all pre-existing and proposed easements are of sufficient width to meet City standards. (Site Development/JJD)
24. Provide an additional performance security for 100 percent of the cost of plants, planting materials, and any maintenance labor (including irrigation) necessary to achieve establishment of the vegetation within the rain garden/storm water treatment areas, as determined by the City Engineer. If the plants are not well established (as determined by the City Engineer and City Public Works Director) within a period of two years from the date of substantial completion, a plan shall be submitted by the engineer of record or landscape architect that documents any needed remediation. The remediation plan shall be completely implemented and deemed satisfactory by the City Public Works Director prior to release of the security. (Site Development/JJD)
25. Ensure all site improvements, including grading and landscaping are completed in accordance with landscape plans except as modified by the decision making authority in conditions of approval. (On file at City Hall). No occupancy permit (including temporary occupancy) will be issued until all improvements are complete. (Planning/JF)
26. Ensure construction of any walls, fences and other structures are completed in accordance with the elevations and plans except as modified by the decision making authority in conditions of approval. (On file at City Hall). No occupancy permit (including temporary occupancy) will be issued until all improvements are complete. (Planning/JF)

Lowami Hart Woods Nature Park (CU2012-0001):

1. Approval of CU2012-0001 is subject to approval of DR2012-0004 and TP2012-0001. (Planning/JF)

2. The Conditional Use permit shall run with the land and shall continue to be valid upon a change of ownership of the site unless otherwise specified in conditions attached to the permit. (Planning/JF)

Lowami Hart Woods Nature Park (TP2012-0001):

1. Approval of TP2012-0001 is subject to approval of DR2012-0004 and CU2012-0001. (Planning/JF)

A. Prior to project completion and during all construction on site, the applicant shall:

2. In accordance with Section 50.90.1 of the Development Code, Tree Plan approval shall expire 2 years after the date of approval unless, prior to that time, a construction permit has been issued and substantial construction pursuant thereto has taken place, or an application for extension has been filed, pursuant to Section 50.93 of the Development Code, or authorized development has otherwise commenced in accordance with Section 50.90.3.B of the Development Code. (Planning/JF)
3. All grading outside the limit of work line (as shown on sheets L2.1-L2.5, dated March 21, 2012) shall be done using hand tools and under the direct supervision of the project arborist. (Planning/JF)
4. Continually keep up and in the same location all hard line orange fencing protecting root zones of specified trees to be saved—defined as the dripline plus 5 feet—of each Protected Tree to be preserved, whether on the subject property or on a neighboring property. The following development shall not be permitted outside the limit of work line (as shown on sheets L2.1-L2.5, dated March 21, 2012) (i.e. outside of the hard line tree protection fencing):
 - a. Construction or placement of new buildings.
 - b. Grade change or cut and fill, except where hand excavation is explicitly approved with the submittal of an arborist's report, as part of application approval.
 - c. New impervious surfaces.
 - d. Trenching for utilities, irrigation, or drainage.
 - e. Staging or storage of any kind.
 - f. Vehicle maneuvering or parking. (Planning/JF)
5. Recommendations as contained in the report prepared by the consulting arborist Bhronwhyn Dean, dated March 21, 2012, are adopted as conditions of approval, attached hereto as included in Exhibit 2. Trees to be removed shall be those trees listed in the inventory for removal as prepared by Bhronwhyn Dean, dated March 21, 2012, a total of 80 trees. An additional 422 trees identified in the inventory, and shown on the plans, may be removed. This Tree Plan 2 acknowledges any of the 422 trees to be removed if determined necessary by the project arborist either

during construction or within the two year approval period. Any recommended mitigation measures or construction methods to reduce or eliminate adverse effects on the trees shall be incorporated into the construction documents and shown on the approved Site Development Permit plans.

6. At the conclusion of the construction the applicant shall submit a report showing which Voluntary Retention Trees were kept, which were damaged or destroyed, and which were removed. (Planning/JF)